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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,517	02/28/2002	Kenji Inose	SONYJP-150	5399

530 7590 01/19/2006

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

AGHDAM, FRESHTEH N

ART UNIT	PAPER NUMBER
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2631

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/980,517	INOSE ET AL.	
	Examiner	Art Unit	
	Freshteh N. Aghdam	2631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/27/2005 has been entered.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 11/01/2004 was filed after the mailing date of the application on 02/28/2002. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Response to Arguments

Applicant's arguments, see page 6, filed 12/27/2005, with respect to the rejection(s) of claim(s) 1-6 under Na et al (US 6,366,731) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Na et al, and further in view of Kimoto (US 2002/0049972).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Na et al (US 6,366,731), and further in view of Kimoto (US 2002/0049972).

As to claims 1 and 6, Na teaches a receiving apparatus that receives a signal via transmission medium, comprising: receiving and demodulating means; control means for controlling the receiving and demodulating; the receiving and demodulating including: interface means for transmitting and receiving from the control means, a command set defined in advance with a given communication protocol; and a process control means for converting control command into recognizable data for the processing means. Na teaches a receiving and demodulating means (Col. 4, Lines 36-Col. 6, Line2; Fig. 3, means 101, 102, 106, and 107) comprising a tuner, which is the first element after the receiving antenna as a receiving means of an incoming signal; and a channel decoder, and further audio and video decoders for demodulating the incoming signal. Na teaches a control means (Col. 6, Lines 35-; Fig. 3, means 102 and 103) for controlling the receiving and demodulating and generating a control command at the output of the switching controller 103 responsive to control data received at the control input (Fig. 3, means 102, 103, and 114). Na teaches the receiving and demodulating

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means including an interface means for transmitting and receiving from the control means. The interface means, an IEEE 1394 serial bus, is represented by a dotted line, between the ATV (Advanced Television) and the HD-VCR (High-Definition-Digital Video Cassette Recorder) see (Fig. 3; Col. 1, Lines 9-29). Na teaches the receiving and demodulating means including command set defined in advance jointly by the interface means and the control means in accordance with a given communication protocol (Col. 1, Lines 9-29) called the Audio/Video Control Command and Transaction Set (AV/CTS). Na teaches a process control means for converting control command into recognizable data (control) for the processing means. The parsers (Fig. 3, means 104, 105, 108, and 112; Col. 5, Lines 9-22; Col. 6, Lines 37-) process PSI (Program Specific Information), PAT (Program Association Table), PMT (Program Map Table), PIDs (Packet Identification Numbers), and CAT (Conditional Access Table) data from the incoming signal in order to correctly process the input signal (Col. 4, Lines 45-67). Na teaches the process control means containing a control program corresponding to at least one of the kinds of transmission media (Fig. 3, means 101; Col. 5, Lines 9-22; Col. 6, Lines 37-). Na is silent about a receiver capable of receiving a signal via a plurality of different kinds of transmission medias; and producing control data depending upon a kind of transmission medium over which said signal was received. Kimoto teaches a receiver capable of receiving a signal via a plurality of different kinds of transmission medias; and therefore, producing control data depending upon a kind of transmission medium over which said signal was received (Fig. 4-5, means 11 and 13; Par.8-9 and 40-45). Therefore, it would have been obvious to one of ordinary skill in the art to

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combine the teaching of Kimoto with Na in order to be compatible to more transmission mediums for obtaining broader application.

As to claim 2, Na teaches a receiving apparatus, comprising a control command set which is predefined, independent of the transmission medium. The control command set taught by Na is the AV/C CTS (Col. 1, Lines 1-29).

As to claim 3, Na teaches a receiving apparatus, comprising the control command can be sent from a remote controller to a local device via the IEEE 1394 serial bus (Col. 1, Lines 9-29).

As to claim 4, Na teaches a receiving device comprising a process control means for converting control command into recognizable data for the processing means. The parsers (Fig. 3, means 104, 105, 108, and 112) process PSI, PAT, PMT, PIDs, and CAT data from the incoming signal, in order to correctly process the input signal (Col. 4, Lines 45-67).

As to claim 5, Na teaches a receiving device, comprising a bus where the bus is an IEEE 1394 serial bus (Col. 1, Lines 9-29).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freshteh N. Aghdam whose telephone number is (571) 272-6037. The examiner can normally be reached on Monday through Friday 9:00-5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Freshteh Aghdam
January 16, 2006


KEVIN BURD
PRIMARY EXAMINER